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work the latter-day amendments to the modern charter of commerce. The growing strength of the conviction that a commission form of regulation is beneficent, and consistent at the same time with justice to capital and enterprise, as well as to the public, has permitted the adoption of several important and far reaching amendments since the first edition of this work appeared. The Carmack Amendment, the sections passing under the title of the Hepburn Law, the Elkins Act, the Safety-Appliance Act and even the legislation under the homely and unpretending title of the Ash-pan Act, have given rise to new questions before the Federal Commission. The comparatively few cases involving this legislation which have actually been decided prevents an unqualified statement or conclusion as to its effect. For this very reason revamped editions of the older works are the more necessary. At the time when the problems are coming into litigation, counsel grasp eagerly for a collection of authorities which will light them upon a difficult path.

The present work retains the former chapters upon the general subject of interstate commerce before 1887, the date of the Interstate Commerce Act. The few pages which can be devoted to this broad question and the many important cases upon it, perhaps justify the suggestion that but little profit can result from so scanty a treatment of the general subject. The broad statement of the principles of such cases as *Gibbons v. Ogden*, *Paul v. Virginia*, and the other well known cases which form the older dispensation, is of very little real value to the profession, and at the same time would seem to be uncertain grazing for students in widely spreading meadows of learning. The same suggestion might possibly be made anent the Sherman Anti-Trust Act. Interesting and far reaching as are the doctrines of the Knight case, the Northern Securities decision and the more recent Tobacco and Oil cases, an adequate treatment of them can in no wise be given in a few pages or in a small section of a volume of but eight hundred pages. The practical value of making the attempt is open to question.

But with respect to the Commerce Act, the work of Mr. Judson is of high merit. The sections are treated *seriatim*, and form the basis of the author's classification of his subject. The matter seems well handled; the style clear and direct. The uncertain questions are frankly pointed out, but there is little discussion of the probable course of decision. Criticism may perhaps be leveled at this failure. We are inclined to think the modern text book has not enough to distinguish it from an encyclopedia. It becomes more and more a bare statement of deductions from decided cases and contains little or no discussion of principles; no guiding of future courses. This is unfortunate; particularly is it so in new fields.

Recent experience in wide use of this work for reference has led to the opinion that care has not been used in, nor adequate attention paid to, the matter of physical make-up. The index is faulty and wholly insufficient; topics are omitted or left entirely without cross-reference; and the sub-divisions do not divide. The same charge of inadequacy must be brought against the table of cases. Cases are referred to in the text which do not appear in the table at all; and worse than that, the citations are entirely omitted from the text leaving one to wonder what court decided them and when and where they may be found. The book would also be improved, it is thought, by further annotation and the adoption of page notes.

R. J. B.

STATUTE LAW MAKING IN THE UNITED STATES. By Chester Lloyd Jones.  
Boston: Boston Book Company, 1912.

It is one of the paradoxes of public life that law making should be so generally regarded as a suitable occupation for the amateur. In England, before the close of the Mediæval Period, the drafting of statutes was wrested by parliament from the judges and the king's council, establishing a tradition, long maintained in that country and still adhered to in most of the American states, that the form as well as the contents of a bill was a matter with which the legislature was not only competent to deal, but alone competent. The failure of William Penn's plan for the preparation of acts by the council for submission to the assembly is a familiar example of this legislative jealousy. As a consequence, it

is assumed that any estimable gentleman, whom nobody would regard as competent to draw a deed for a wood-lot, is capable of expressing in apt language the public will. In England, parliament has long since delegated to expert counsel, permanently employed, the drafting of legislation, but in this country the idea grows but slowly.

If then, as seems probable for some time to come, the form of legislation, in most of the states, is to be left to chance, the best that can be done is to interest the legislator himself in the art of statute making; and for this purpose the work that is the subject of this review should prove useful. The most experienced parliamentarian will find much to interest him in its pages, and for the unexperienced, for those intending to enter public life, it should prove a boon indeed. There are, of course, many works upon the interpretation of statutes, but these deal primarily with the decisions of the courts, and are more useful to the judge or lawyer attempting to construe a badly written act than to the publicist endeavoring to draw a good one. Without entering into technical discussions, the author briefly reviews the scope of American legislation and the constitutional limitations that hedge it in on every side. He describes the formal parts of a statute, such as the title, enacting clause, etc., the conventional use of terms, and gives some very useful rules for the proper arrangement of the subject matter of an act with a view to clearness, coherence and forceful expression. Repealing and amending acts, as well as resolutions, are also treated. While brevity is always desirable, there are some topics that might have received more extended treatment, and there are chapters that belong to political science in general rather than to statute making proper. The chapter on judicial oaths is hardly germane to the discussion. But these are minor matters that do not detract from the general merit of the work.

L. W. H.